

[10121/03501]

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Wells et al.  
Serial No. : 10/674,512  
Filed : September 30, 2003  
For : Through the Scope Tension Member Release Clip  
Art Unit : 3739  
Examiner : Matthew J. Kasztejna

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**NOTICE OF APPEAL**

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner made in the Final Office Action dated May 11, 2005 rejecting claims 1-5, 10, 11, 15, 17 and 18 and the Advisory Action dated August 3, 2005.

Respectfully Submitted,

Dated: August 10, 2005

  
Oleg F. Kaplun (Reg. No. 45,559)

Fay Kaplun & Marcin, LLP  
150 Broadway, Suite 702  
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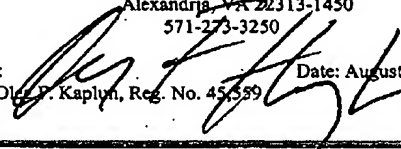
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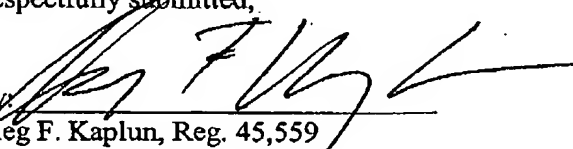
By:  Date: August 10, 2005  
Oleg F. Kaplun, Reg. No. 45,559

**TRANSMITTAL**

In response to the Final Office Action dated May 11, 2005 and the Advisory Action dated August 3, 2005, transmitted herewith please find a Notice of Appeal for filing in the above-identified application. Please charge the Credit Card of Fay Kaplun & Marcin, LLP in the amount of \$500.00 (PTO-Form 2038 is enclosed herewith). The Commissioner is hereby authorized to charge the **Deposit Account of Fay Kaplun & Marcin, LLP NO. 50-1492** for any additional required fees. A copy of this paper is enclosed for that purpose.

Respectfully submitted,

Dated: August 10, 2005

By:   
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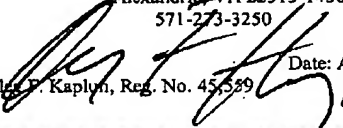
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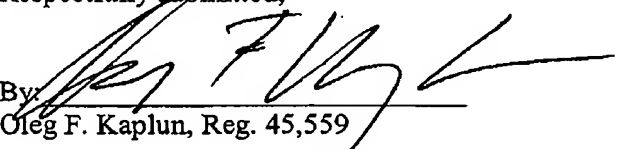
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**TO** : Commissioner for Patents  
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**FROM** : Oleg F. Kaplun, Esq.  
Fay Kaplun & Marcin, LLP

**Date** : July 18, 2005

**SUBJECT** : Endoscopy  
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for *Through the Scope Tension Member Release Clip*  
Our Ref.: 10121/03501

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